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May 5, 2021

ORIGINAL VIA ECF

Honorable Gary R. Brown, USDJ
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

Re: Gurrieri et al v. County of Nassau et al 16-CV-6983(GRB)(SIL) : Motion to withdraw fairness hearing

Dear Judge Brown:

I am respectfully requesting that Your Honor withdraw your decision to hold a fairness hearing on July 19, 2021. I make this request because the stipulation of settlement before the Court already has a fairness hearing incorporated in it. That is, the settlement specifies that unless 95% of the Opt Ins sign a consent form and release, the settlement is null and void. That serves the same purpose as a fairness hearing because if 95% of the opt ins sign the consent forms and release, that shows they overwhelmingly believe the settlement is fair. If 95% do not sign the consent form and release then the settlement does not go forward. Therefore, I believe that having a fairness hearing is duplicative of what we already built into the settlement agreement because we would then have to, in essence, obtain the Opt Ins consent twice. By eliminating the fairness hearing, we can expeditiously move forward and obtain the Nassau Legislature's consent and then get the consent forms and releases out to the Opt Ins months earlier. That, in turn, will expedite payment of the monies to the Plaintiffs, Opt Ins and the undersigned.

In the alternative, if you do maintain the fairness hearing then we would ask that you strike the portion of the settlement agreement that requires consent forms and releases be obtained from 95% of the Opt Ins since your determination that the settlement is fair, after a



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hearing, would serve the same purpose as the consent forms and releases. In this way, we can once again expedite the ultimate payment of the monies to the Opt Ins, Plaintiffs, and the undersigned.

I make this request to withdraw the order for a fairness hearing with the utmost respect for the Court and am merely trying to prevent duplication of effort and obtain an expeditious resolution.

I thank you the Court for its courtesies in entertaining my request.

Very truly yours,
Louis D. Stober, Jr.

Louis D. Stober, Jr.

LDS:st

Cc: Deanna Panico, via ECF